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8
9 STATE OF CALIFORNIA

10 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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12 In the matter of:
13 WINGFOOT COMMERCIAL TIRE
14 SYSTEMS, LLC.

15 TPID NO: 1002615-01

16 RESPONDENT.

ADMINISTRATIVE DECISION
PURSUANT TO STIPULATION FOR
WASTE TIRE HAULER
ADMINISTRATIVE PENALTIES

AGENCY No: 2007-010992-ADC

17
18 INTRODUCTION

19 The California Integrated Waste Management Board ("CIWMB") has
20 authority to regulate and conduct enforcement actions regarding Waste Tire Haulers
21 within the State of California under Public Resources Code ("PRC") Section 42962 et
22 seq. and attendant regulations contained in 14 California Code of Regulations ("CCR").

23 WINGFOOT COMMERCIAL TIRE SYSTEMS, LLC., ("RESPONDENT") was
24 served with the ADMINISTRATIVE COMPLAINT FOR WASTE TIRE HAULER
25 ADMINISTRATIVE PENALTIES ("Administrative Complaint") on June 11, 2008.
26 RESPONDENT requested a hearing on June 20, 2008. To avoid the uncertainties of
27 litigation,
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1 RESPONDENT negotiated a STIPULATION FOR ISSUANCE OF ADMINISTRATIVE
2 DECISION FOR WASTE TIRE HAULER ADMINISTRATIVE PENALTIES ("Stipulation")
3 to resolve the issues contained in the Administrative Complaint.

4 The Board Members of the CIWMB hereby adopt the Stipulation. Pursuant to the
5 Stipulation, and good cause appearing therefore, the following Stipulated Factual
6 Findings and Legal Conclusions are made, and the following Order is issued:

7 **STIPULATED FACTUAL FINDINGS**

8 1. The Administrative Complaint was executed by TAMAR DYSON, Staff
9 Counsel, CWIMB, acting in her official capacity.

10 2. On 14 occasions, between September 1, 2007 through September 15,
11 2007. RESPONDENT submitted incorrect and/or incomplete Comprehensive Trip Logs
12 ("Manifests") as detailed in the Administrative Complaint.

13 **STIPULATED CONCLUSIONS OF LAW**

14 3. RESPONDENT is in violation of Public Resources Code Section 42961.5
15 as well as 14 CCR Section 18460.2. The CIWMB's authority to assess administrative
16 penalties against RESPONDENT is set forth in PRC Section 42962 et seq., and in 14
17 CCR Section 18463.

18 4. Pursuant to 14 CCR Section 18464, the penalty tables for waste tire
19 facilities, the penalty of four thousand two hundred dollars (\$4,200.00) to be paid
20 accordance with the terms of the Stipulation, is within the CIWMB's discretion and
21 satisfies the criteria of 14 CCR Section 18465.

22 **ORDER**

23 The CIWMB approves of, and adopts the terms of the Stipulation, and the
24 following Order is hereby made:

25 WINGFOOT COMMERCIAL TIRE SYSTEMS, LLC., is ordered
26 to pay four thousand two hundred dollars (\$4,200.00) to the CIWMB according to the
27 terms of the Stipulation.
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1 This DECISION shall become effective as of the date signed below:
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3 Dated this 20th day of August 2008.
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6 MARGO REID BROWN, Chair
7 CALIFORNIA INTEGRATED WASTE
8 MANAGEMENT BOARD
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